

## EXPRESS TERMS

### ITEM 21-1

#### Chapter 1 – Administration

**101.4.1.1.3.1 [For DSA/AC]** Effective January 1, 1990, in new construction and those existing facilities which occupancy type are listed in Tables 4-1 and 4-4 for public use, which apply for permit to undertake construction, structural alterations, repairs or improvement which exceed 50 percent of the square footage of the entire facility, shall install water closets, urinals, lavatories and drinking fountains as stipulated in Tables 4-1 and 4-4 for public use. Community and/or municipal parks with a bleacher capacity not exceeding 500 seats shall be exempt from the requirements of this section and Tables 4-1 and 4-4.

**Note:** [For DSA/AC] Each bathroom shall comply with Part 2, Chapters 11A and 11B of the California Building Code.

**101.8 [For DSA/AC] Format** This part fundamentally adopts the U.P.C. by reference on a chapter-by-chapter basis. Such adoption is reflected in the adoption tables of each chapter of this part. When the adoption table of a chapter of this part makes no reference to a specific chapter of the U.P.C. such chapter of the U.P.C. is not adopted as a portion of this code.

**101.11.9 [For DSA/AC]**  
**DSS/AC DSA/AC – Division of the State Architect; Access Compliance.**  
**General** - To assure that ...

#### ITEM 21-1 – Committee Recommendations

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(END OF ITEM)

### ITEM 21-2

#### Chapter 2 – Definitions

**203.0** ~~Accessability~~ **Accessibility** ~~[For DSA/AC]~~ **[For DSA/AC]** – The combination of various elements in a building or area which allow access, circulation and full use of the building and facilities by ~~the handicapped~~ persons with disabilities. ~~-A-~~

Authority Cited-Gov. Code §4450.  
Reference-Gov. Code §4450 through 4460, 12955.1 and H&SC §18949.1, 19952 through 19959.

#### ITEM 21-2 – Committee Recommendations

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(END OF ITEM)

#### ITEM 21-3

##### Chapter 3 – General Regulations

~~[For DSA/AC] Adopt entire UPC chapter without amendments~~

##### ITEM 21-3 – Committee Recommendations

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(END OF ITEM)

#### ITEM 21-4

##### Chapter 4– Plumbing Fixtures and Fixture Fittings

**TABLE 4-1 – MINIMUM PLUMBING FACILITIES**

Each building shall be provided with sanitary facilities, including provisions for the physically handicapped as prescribed by the Department having jurisdiction. For requirements for the handicapped, ANSI A117.1-1992, Accessible and Usable Buildings and Facilities, may be used.

**Note 1:** ANSI A11.1-1992 is not adopted by the State of California. For HCD 1/AC requirements refer to the California Code of Regulations, Title 24, Part 2, Chapter 11A, California Building Code. For DSA/AC requirements for persons with disabilities, refer to the California Code of Regulations, Title 24, Part 2, Chapters 11A and 11B, California Building Code.

**Note 2:** [For DSA/AC] With all clarifying notes that ANSI is not adopted and that for DSA/AC to carry out its statutory responsibilities, DSA/AC's application of California Plumbing Code Tables 4-1 through 4-4 are limited to those applications stated in Section 101.11.9 of this code.

The total occupant load shall be determined by minimum exiting requirements. The minimum number of fixtures shall be calculated at fifty (50) percent male and fifty (50) percent female based on the total occupant load.

Type of Building or Occupancy <sup>2</sup>	Water Closets <sup>14</sup> (Fixtures per Person)	Urinals <sup>5,10</sup> (Fixtures per person)	Lavatories (Fixtures per Person)	Bathtubs or Showers (Fixtures per Person)	Drinking Fountain <sup>3,13</sup> (Fixtures per Person)
Board of Corrections Local Detention Facilities Locked Sleeping Rooms <sup>4,15</sup>	1 per 8  1		1 per 8  1	1 per 20	

2. Building categories not shown on this table shall be considered separately by the Administrative Authority **[For DSA/AC] authority having jurisdiction.**
14. The total number of water closets for females shall be at least equal to the total number of water closets and urinals required for males. ~~45.~~

**TABLE 4 - 2**

**Note:** [For DSA/AC] With all clarifying notes that ANSI is not adopted and that for DSA/AC to carry out its statutory responsibilities, DSA/AC's application of California Plumbing Code Tables 4-1 through 4-4 are limited to those application stated in Section 101.11.9 of this code.

**TABLE 4 - 3**

**Note:** [For DSA/AC] With all clarifying notes that ANSI is not adopted and that for DSA/AC to carry out its statutory responsibilities, DSA/AC's application of California Plumbing Code Tables 4-1 through 4-4 are limited to those application stated in Section 101.11.9 of this code

**TABLE 4 - 4**

**Note:** [For DSA/AC] With all clarifying notes that ANSI is not adopted and that for DSA/AC to carry out its statutory responsibilities, DSA/AC's application of California Plumbing Code Tables 4-1 through 4-4 are limited to those application stated in Section 101.11.9 of this code.

Type of Building or Occupancy <sup>2</sup>	Water Closets (Fixtures per Person)	Urinals (Fixtures per Male)	Lavatories (Fixtures per Person)	Bathtubs or Showers (Fixtures per Person)	Drinking Fountains (Fixtures per Person)
Organized Camps	1 1-15 <sup>3</sup>		1 1-15	1 1-15 <sup>6</sup>	Minimum 1 per camp

**ITEM 21-4 – Committee Recommendations**

A AA D FS

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(END OF ITEM)

**ITEM 20-5**

**CHAPTER 16  
PLUMBING REQUIREMENTS FOR ACCOMMODATION OF  
PERSONS WITH PHYSICAL DISABILITIES  
PERSONS WITH DISABILITIES**

~~1601.0 [For DSA/AC w/exceptions & note] General.~~

~~This chapter contains building standards of the Division of the State Architect/Access Compliance and the Department of Housing and Community Development applicable to all buildings and facilities required to be accessible to and usable by persons with disabilities.~~

~~**NOTE:** [For DSA/AC] For description of "Multifamily Dwelling" see DSA/AC in Section 101.11.1 of this code.~~

~~**EXCEPTION:**~~

~~1. [For DSA/AC] In existing buildings, when the enforcing agency determines that compliance with any regulation under this chapter would create an unreasonable hardship, and exception shall be granted when equivalent facilitation is provided.~~

~~2. [For DSA/AC] In existing buildings, when the enforcing agency determines because of physical constraints compliance with this chapter or equivalent facilitation would create an unreasonable hardship, those regulations shall not apply.~~

**NOTE: 3. [For DSA/AC]** For accessibility requirements for Plumbing requirements for accommodation of ~~physically handicapped~~ persons with disabilities in public accommodations commercial buildings, publicly funded owned or leased housing, see Title 24, Part 2, Chapters 11A and 11B, Sections 1115B and 1117B.1 ~~Sections 1115B.2.0 through 1115B.2.1.20.~~

Authority: (Government Code Sections 4450 and 4453.)

Reference: Government Code Sections 4451 (as interpreted by the CA Superior Court, City and County of San Francisco, in CA Association of the Physically Handicapped vs. Trustees of the California State University and Colleges, No. 692231, judgment entered 9-16-80) and 4454.

#### ITEM 21-5 – Committee Recommendations

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(END OF ITEM)

## INITIAL STATEMENT OF REASONS

### STATEMENT OF SPECIFIC PURPOSE AND RATIONAL

#### **PART 5 CALIFORNIA PLUMBING CODE**

The 2001 California Plumbing Code incorporates by adoption the 2000 edition of the Uniform Plumbing Code (UPC) of the International Association of Plumbing and Mechanical Officials (IAPMO) with necessary DSA/AC California amendments.

DSA/AC proposes repeal of the 2000 edition of the UPC and adoption of 2003 edition of the UPC with existing necessary CA amendments. DSA/AC amendments are as follows:

#### **Chapter 1 - ADMINISTRATION**

In 101.4.1.1.3.1 in the Note the acronym of DSA/AC is missing. DSA/AC proposes to include DSA/AC adoption indicator.

In 101.8 (Format) the acronym for the Uniform Plumbing Code is not shown with a period after each letter (UPC). This same sentence is unclear if a specific chapter of the UPC is adopted by DSA/AC.

DSA/AC is amending Section 101.8 by adding periods after each letters within the abbreviation to read “U.P.C.” To make clear specific chapters of the U.P.C. are not adopted by DSA/AC the 2<sup>nd</sup> sentence is amended to indicate that, “such chapter of the U.P.C.” is not adopted by DSA/AC.

In 101.11.9 currently the acronym for Division of the State Architect is incorrect, which reads “DSS/AC...”. DSA/AC is making an editorial correction to read “DSA/AC...” which is the correct acronym for Division of the State Architect-Access Compliance.

In the body of the regulations section 101.4.0 is adopted by DSA/AC, however is not shown in the Matrix Adoption Table. DSA/AC would like to see the Matrix Adoption Table indicated adoption by DSA/AC for section 101.4.0 (Application).

#### **Chapter 2 - DEFINITIONS**

The spelling of the definition for ‘accessability’ is incorrect and the words ‘*the handicapped*’ are not a proper reference. DSA/AC proposes to make an editorial correction to correct the spelling to read “accessibility”, and to change by reference the words “~~the handicapped~~” to “persons with disabilities” to be consistent with definition in Part 2 for clarity and consistency with Chapters 11A and 11B.

#### **Chapter 3 – GENERAL REGULATIONS**

DSA/AC’s adoption of the general provisions of UPC Chapter 3 is no longer necessary. DSA/AC proposes to repeal adoption of Chapter 3 because the model code regulations are inconsistent with accessibility regulations in C.C.R., Title 24, Part 2.

## **Chapter 4 – PLUMBING FIXTURES AND FIXTURE FITTINGS**

### **Tables 4-1, 4-2, 4-3 and 4-4**

DSA/AC is proposing to amend existing note in **Table 4-1** to include a cross-reference 'for DSA/AC requirements for persons with disabilities, referring to the California Code of Regulations, Title 24, Part 2, Chapters 11A and 11B, California Building Code'.

DSA/AC is proposing to adopt a new note #2 in **Table 4-1** and **new Note in Tables 4-2, 4-3 and 4-4**. Existing note in Table 4-1 would be renumbered as Note #1. DSA/AC is proposing to adopt a Note to provide a cross-reference 'for DSA/AC with all clarifying notes that ANSI is not adopted and that for DSA/AC to carry out its statutory responsibilities, DSA/AC's application of California Plumbing Code Tables 4-1 through 4-4 are limited to those applications stated in Section 101.11.9 of this code'.

In **Table 4-1** under '**Type of Building or Occupancy (Board of Corrections – Local Detention Facilities - Locked Sleeping Rooms**'<sup>11</sup>)' the reference to Footnote 11 is incorrect. DSA/AC is correcting the footnote to read "... *Locked Sleeping Rooms*"<sup>15</sup>."

In **Table 4-1 (Footnote 2)** cross-reference to **Administrative Authority** is not applicable to DSA/AC. DSA/AC proposes to clarify jurisdictional authority by adding "[For DSA/AC] authority having jurisdiction".

In **Table 4-1 (Footnote 14)** there is an unrelated number 15 shown at the end of the sentence. DSA/AC is proposing to delete the number 15.

In **Table 4-4** under **Bathtubs or Showers Fixtures per Person (Organized Camps)** the ratio of 1 fixture for each 1-156 is incorrect. The number 6 should be a footnote #6. DSA/AC is proposing to correct the ratio to read: "1 1-15<sup>6</sup>".

## **Chapter 16 – PLUMBING REQUIREMENTS FOR ACCOMMODATION OF PERSONS WITH PHYSICAL DISABILITIES**

In the title the words 'Persons with Physical Disabilities' is not a proper title. DSA/AC is proposing to amend the title of Chapter 16 to more appropriately read: "*Plumbing Requirements for Accommodation of Persons with Disabilities*."

In Section **1601.0 (General)** the text, Note and Exceptions 1 and 2 are not necessary because the plumbing requirements for accommodation of persons with disabilities in public accommodations, commercial buildings, and publicly funded owned or leased housing are located in CCR, Title 24, Part 2.

To avoid any conflict, duplication or overlap of plumbing regulations the provisions under Section 1601.0, Note and Exceptions 1 and 2 are deleted. Only the remaining cross-reference to Exception 3 will be retained and changed to a Note. This Note is amended to make editorial corrections to be consistent with changes made in the title of Chapter 16. The cross-references to 1115B.2.0 through 1115B.1.1.20' are incorrect. DSA/AC proposed to correct cross-references to read "1115B and 1117B."

### **TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS**

DSA/AC is relying on the 2003 edition of the Uniform Plumbing Code (UPC).

### **CONSIDERATION OF REASONABLE ALTERNATIVES**

The DSA/AC has determined that there are no other reasonable alternatives considered that would be more appropriate in carrying out the purpose for which these plumbing requirements for accessibility are proposed or would be effective and less burdensome to affected private persons than the proposed access compliance regulations.

### **REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.**

The DSA has made an initial determination that the proposed regulatory actions are changes which do not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element of Title 24 and would not have a significant adverse economic impact on businesses.

### **FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS.**

These regulations are intended to provide plumbing requirements for accessibility. The DSA has made a determination that the proposed regulatory actions are changes which do not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element of Title 24 and would not have an impact on business.

### **DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS:**

None